



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,580	02/26/2004	Tan Kong Cheok	19290P009X	7949

8791 7590 01/14/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

VO, ANH T N

ART UNIT

PAPER NUMBER

2861

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/789,580

Applicant(s)

CHEOK, TAN KONG

Examiner

Anh t.n Vo

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2861

DETAILED ACTION

Acknowledgement is made of the receipt of Preliminary Amendment filed 26 February 2004.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The references cited on PTO 1449 have been considered.

Specification

The specification has been checked to the extent necessary to determine the presence of all possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objection

Claims objected to because of the following informalities:

- in claim 1: * line 6, "a docked said" should be changed to --said docked--.
 - * lines 12, 14, 17 and 21, "a" should be change to --the--.
 - * line 14, "a" should be change to --the--.
- in Claim 3, line 3, --the-- should be inserted after "filled".
- in claim 6, line 4, "a" should be change to --the--.

Art Unit: 2861

- in claim 7, line 2, "a" should be change to --the--.
- in claim 8, lines 2-6, "a" and "an" should be change to --the--.
- in claim 9, line 2, "therefor" should be deleted.
- in claim 11: * line 6, "a docked said" should be changed to --said docked--.
 - * line 9, "an" should be change to --the--.
 - * lines 13, 14, 17 and 21 "a" should be change to --the--.
- in claim 14: * lines 2 and 3, "the" should be changed to --an--.
- in claim 18: * lines 4 and 5, "the" should be changed to --an--.

The above change was made to avoid lack of antecedent basis problem. Appropriate correction is required.

CLAIM REJECTIONS

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior arts are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-18 are rejected under 35 USC 103 (a) as being unpatentable over Schewenk et al (US 5,704,403) in view of Hagiwara et al. (US Pat. 6,039,442).

Schewenk et al disclose in Figures 1-5b a device for refilling a printer cartridge comprising:

Art Unit: 2861

- a flow system (Figures 1-2) having a conduit (30) interconnects with a docked replenishing cartridge (20) with an docked ink cartridge (105) through a pump (40) which operates in two directions;
- the docked replenishing cartridge (20), when docked, provides an ink receiver (60);
- a canula (91); and
- an electronic control (10) for controlling operations of draw-off mode, supplying mode, halting mode and re-routing mode.

However, Schewenk et al. do not disclose the flow system including valves.

Hagiwara et al. disclose in Figures 1-3 an ink jet recording device comprising the flow system including valves (54, 55, 56), a pump (57), and conduits (51, 52) for supplying and circulating ink.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to incorporate the teaching of Hagiwara et al. in the Schwenk et al. refilling device for the purpose of controlling ink flow through valves causing by changes of pressure.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art references (US Pat. 4,383,263; US Pat. 5,291,215; US Pat. 5,367,328; US Pat. 5,936,650; US Pat. 6,231,174) cited in the PTO 892 form show an ink jet recording apparatus that is deemed to be relevant to the present invention. These references should be reviewed.

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Anh Vo. whose telephone number is (571) 272-2262.

Application/Control Number: 10/789,580

Page 5

Art Unit: 2861

The examiner can normally be reached on Tuesday to Friday from 9:00 A.M. to 7:00 P.M..

The fax number of this Group 2800 is (703) 872-9306.

A handwritten signature in black ink, appearing to be 'Anh T.N. Vo', written in a cursive style.

ANH T.N. VO
PRIMARY EXAMINER

January 12, 2005